

FROM :PAT KELLY ST LOUIS

FAX NO. :3148228998

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PATRICK D. KELLY
PATENT ATTORNEY, ATTORNEY AT LAW

JAN 30 2006

11939 Manchester #403
St. Louis, MO 63131

314-822-8558
FAX: 314-822-8998

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TO: Examiner Noah Hawk
Art Unit 3637
US Patent & TM Office

FAX NUMBER: 571-273-8300

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re: USSN 10/724,544 (Copeland)

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Docket No. JC-JS1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of COPELAND)
Serial No. 10/724,544) Examiner: N. C. Hawk
Filed December 1, 2003) Group Art Unit: 3637

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Title: DEVICES FOR STORAGE BETWEEN CEILING JOISTS,
WHICH ACCOMMODATE FOR JOIST SPACING VARIATIONS

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to Examiner Noah Hawk, of Art Unit 3637, at facsimile number 571-273-8300 on January 30, 2006.

Name of Attorney: Patrick D. Kelly

Signature: Patrick D. Kelly

Date: 30 Jan 2006

ELECTION WITH TRAVERSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the restriction requirement mailed on 12/29/05, Applicant hereby elects the species of Group 1, as shown in Figures 1, 4, 5, and 6. However, Applicant traverses the restriction, and requests the Examiner to recombine Groups I, II (Figures 2 and 3), and III (Figure 7) into a single group, for examination purposes, in view of the comments set forth below.

First, it should be noted that the drawings are informal drawings, and will be replaced by a set of formal drawings, at an appropriate time. For example, the cross-hatching lines in FIGS. 2 and 3 are spaced too closely, and many of the lines in several drawings have rough appearance, due to the fact that they were photocopied from fine-resolution faxed versions.

Second, it should be pointed out that the two brackets shown

in FIGS. 2 and 3 are intended to be functionally identical with the similar brackets shown in FIG. 1, with two minor exceptions that are intended to be optional. If those minor exceptions are sufficiently important to require renumbering, or to require that the brackets in FIG. 1 be brought into conformance with the brackets in FIGS. 2 and 3, either approach can be used, if requested by the Examiner.

In particular, an optional "shoulder" 115 can be placed on the "L" bracket 110, if desired, to help make sure that an untrained installer actually install the "L" bracket at a suitable height that will provide enough clearance for bar 202 (shown in FIG. 1) to slide across the top of the horizontal component 116 of that bracket. That option is explicitly described on page 12 of the text.

Similarly, in the "J" bracket, the height of the actual support component 124 (which is affixed to the vertical segment 121) can be varied somewhat, if desired. That is insignificant, with respect to how the "second supporting brackets" are described and claimed, in all claims.

Please note that: (1) those minor and optional differences make no difference in how the claims, as drafted, would apply to any of the illustrated embodiments showing how such brackets can be designed; and, (2) FIGS. 1 and 2 are both intended as "detail" drawings, which deliberately contain more callout numbers than in the larger overall view in FIG. 1, since an effort to show those additional details in FIG. 1 would have cluttered and confused that drawing.

For similar reasons, it is believed and asserted that the additional preferred embodiment illustrated in FIG. 7 also falls squarely within the claim language used in independent claims 1 and 8, and merely depict optional embodiments that function in exactly the same manner as covered in the independent claims. The two brackets shown in FIG. 7 were designed to be "nestled up" fully within the space between two adjacent joists, so that nothing is visible, horizontally, below the lower edges of the joists. As described on page 24 of the specification, the purpose

of that embodiment is to increase the level of concealment and security. If a burglar climbs onto a chair, moves one of the panels in a "drop ceiling" out of position, and sticks his eyes and a flashlight up into the limited space above the panel height, he might be able to see a suspended storage box, if the lower ends of the brackets, the supporting shelf, and the bottom of the storage box are positioned vertically, lower than the bottoms of the joists. However, if everything in a storage unit is fully positioned higher than the bottom edges of the joists, a burglar would be much less likely to see, locate, and ransack a storage unit that is deliberately hidden in that manner.

Despite that fact, the optional design for a set of support brackets, illustrated in FIG. 7, falls squarely within the language of the same independent claims that also cover the other bracket design shown in FIGS. 1 through 3. Accordingly, the Examiner is respectfully requested to withdraw the restriction, insofar as it relates to Group III.

REQUEST FOR EXAMINER'S AMENDMENT TO CLAIM 8

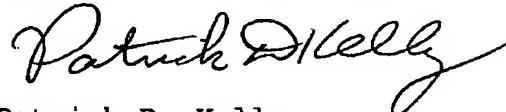
During a word-by-word comparison of Claim 1 against Claim 8, it was noticed that a superfluous and unwanted phrase is contained in Claim 8, as a typographical error. That unwanted phrase, in part (b)(i), contains the words, "slide across slidable surfaces provided by said first supporting brackets.". The phrase is surplus, in that sentence, and does not make grammatical sense. The Examiner is requested to delete that phrase by means of an Examiner's amendment, to avoid the need for a preliminary amendment with complete listings of all claims.

It should also be noted that the language used to described the support system is essentially identical, in Claims 1 and 8; the difference between them is that Claim 1 specifies and requires that a "storage compartment" (such as a box with a closable lid) must be provided as part of the system, while Claim 8 indicates that the box is optional, and any cardboard or other box, bag, etc., can be used, as chosen and provided by a homeowner. Accordingly, it is believed that Claim 1 is narrower

than Claim 8, and should be examined at the same time, and in the same group, as Claim 8.

If any questions arise, please contact the undersigned attorney at 314-822-8558.

Respectfully submitted,



Patrick D. Kelly
Attorney for Applicant
Reg. No. 30,650
11939 Manchester, #403
St. Louis, MO 63131